

## **Structural Pest Control Board**

NOTICE IS HEREBY GIVEN that the Structural Pest Control Board is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at The Bristol 1055 First Avenue, San Diego, California, at 9:00, a.m. on April 23, 2004. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Structural Pest Control Board at its office not later than 5:00 p.m. on April 22, 2004 or must be received by the Structural Pest Control Board at the hearing. The Structural Pest Control Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 8525 of the Business and Professions Code, and to implement, interpret or make specific Sections 138, 680, 8516, 8517, 8560, and 8593 of said Code, the Structural Pest Control Board is considering changes to Division 19 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

#### **Amend 1950:** Continuing Education

Licensees are required to gain a certain amount of continuing education hours prior to their license renewal. This amendment will establish the specific amount of continuing education hours and courses needed for license renewal for Field Representatives and Operators.

#### **Amend 1950.5:** Hour Value System

Continuing Education providers will be required to test licensees after they complete Board approved courses in technical or rules and regulations. Currently, licensees can obtain C.E. credit through in-house training. This regulation will specify the maximum amount of hours earned through in-house training, the passing score and the conditions for re-examination.

#### **Amend 1951:** Examination in Lieu of Continuing Education

This amendment will identify examinees as a "licensee" or "licensees" and give a specific rating on the passing score.

#### **Amend 1953:** Approval of Activities (e) (g)

Continuing Education Providers are currently required to request a form from the Board before conducting continuing education courses. The form (No. 43M-39) has been

revised and requires that the cost for the postage to be paid by the provider when returning the form to the Board. The amended language will put the revised evaluation form into regulation. Language is also being amended to clarify what activity is not approved and establishes guidelines with activities that involve the use of products used in pest control settings.

Adopt 1922.3: Course requirement by County Agricultural Commissioners  
Guideline and procedures regarding the County Agricultural Commissioner's authority to issue a Notice of Violation against a Structural Pest Control Board licensee.

Adopt 1993.1: Reinspection Language  
Language regarding reinspections must appear on all inspection reports when a bid or estimation for work is given. The adopted language specifies the time frame of the reinspection, the definition of a reinspection and the purpose it serves.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: There is the cost of postage which shall be incurred by the provider.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The Structural Pest Control Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Structural Pest Control Board is postage that shall be incurred by the provider.

Effect on Housing Costs: None

#### EFFECT ON SMALL BUSINESS

The Structural Pest Control Board has determined that the proposed regulations would affect small businesses.

#### CONSIDERATION OF ALTERNATIVES

The Structural Pest Control must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The Structural Pest Control Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

#### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Structural Pest Control Board at 1418 Howe Avenue Suite 18, Sacramento, California 95825.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **[or by accessing the website listed below]**.

## CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Delores Coleman  
Address: 1418 Howe Avenue, Suite 18  
Sacramento, CA. 95825  
Telephone No.: (916) 561-8700  
Fax No.: (916) 263-2469  
E-Mail Address: Delores\_Coleman@dca.ca.gov

The backup contact person is:

Name: Susan Saylor  
Address: 1418 Howe Avenue, Suite 18  
Telephone No.: (916) 561-8700  
Fax No.: (916) 263-2469  
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Website Access [if you have a website]: Materials regarding this proposal can be found at [www.pestboard.ca.gov](http://www.pestboard.ca.gov)